

BERMAN, S.

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Attorney for Petitioners

MEMO ENDORSED

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

-----X
 Jeongran Lee; Seoung Sun Bang; Hee Eun
 Chung; Gi Eun Chung; Ha Eun Chung;
 San Joo; Hyojin Noh; Meesol Noh,

Plaintiffs-Petitioners,

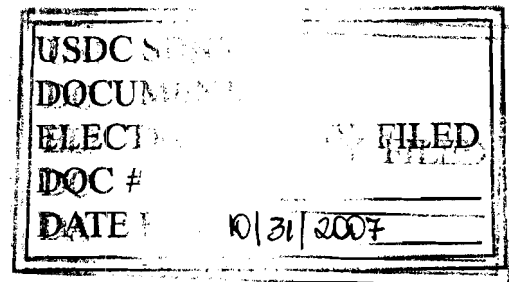
v.

PETER D. KEISLER¹, in his official capacity as
 Acting Attorney General of the United States;
 MICHAEL CHERTOFF, in his official capacity
 as Secretary of the U.S. Department of Homeland
 Security; EMILIO T. GONZALEZ, in his official
 Capacity as Director of U.S. Citizenship and
 Immigration Services; PAUL NOVAK, Jr., as
 District Director of Vermont Service Center;
 F. GERARD HEINAUER, District Director
 of Vermont Service Center,

Defendants-Respondents.
 -----X

**MOTION TO
 WITHDRAW
 COMPLAINT &
 AMENDED COMPLAINT
 WITHOUT PREJUDICE**

Civil No.: 07CV6470 RMB



**PLAINTIFFS MOTION TO WITHDRAW COMPLAINT AND AMENDED
 COMPLAINT WITHOUT PREJUDICE**

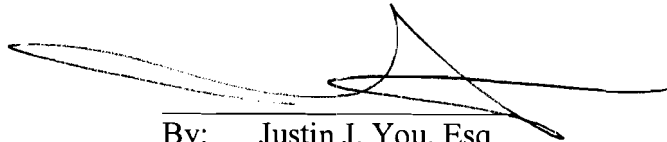
¹ Peter D. Keisler is the currently the Acting Attorney General. We have substituted him for Alberto R. Gonzales, previous holder of that office, as the respondent. See Fed. R.App. P. 43(c)(2).

Respondents, through undersigned counsel, hereby request the Withdrawal of Complaint and Amended Complaint Without Prejudice. Counsel has discussed this matter with Government counsel, F. James Loprest, Jr. and there is no opposition to the Withdrawal of this Complaint and Amended Complaint *Without* Prejudice, and the possible re-filing of this action. Counsel requests the reservation to possibly re-file the case considering there is no substantial prejudice to the Defendants. Government counsel has stated he has no objections to this. Further, Government counsel acquiesces to the withdrawal of the defenses of insufficient service and lack of personal jurisdiction based on the Complaint and First Amended Complaint.

Dated: New York, NY

Submitted: October 30, 2007

Respectfully submitted,
You & Associates



By: Justin J. You, Esq.

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cc: BY FACSIMILE
AND FEDERAL EXPRESS

F. James Loprest, Jr.
U.S. Attorney's Office, SDNY
86 Chambers Street, 3rd Floor
New York, NY 10007

clerk to close this case

SO ORDERED:

RMB
U.S.D.J.
10/31/07

CERTIFICATE OF SERVICE

I hereby certify that on 30 day of October, 2007, I served a true and correct copy of the within and foregoing document upon the attorney named below in the manner noted:

F. James Loprest, Jr.
U.S. ATTORNEY'S OFFICE, SDNY
86 Chambers Street, 3rd Floor
New York, NY 10007

☒ By Federal Express Standard Overnight & Facsimile


Justin J. You